

REMARKS

This is a full and timely response to the non-final Office Action mailed on May 20, 2004 (Paper No. 12). Claim 56 is cancelled and claims 101-103 are newly added. Claims 57-59, 61, 63-71, 73-79, 81, and 83-103 are now pending in the present application. Reconsideration and allowance of the application and presently pending claims are respectfully requested in view of the foregoing remarks. Applicants should be not presumed to agree with any statements made by the Examiner in this Office Action unless otherwise specifically indicated by Applicants.

I. Priority

In the Office Action, it was alleged that the limitation wherein sequential data supplements are provided responsive to user in a manner that is synchronized with the video presentation cannot be found in the provisional application (60/214,987) and co-pending application 09/590,520. Thus, the claims of the instant application stand to be examined in view of the following data of the instant application October 20, 2000.

Applicants are not addressing the validity of all assertions made by the Examiner regarding the priority of this application. Therefore, Applicants should be not presumed to agree with any statements made by the Examiner regarding the priority of the application unless otherwise specifically indicated by Applicants.

II. Drawings

The Office Action alleges that drawings must show “the particular ‘presenting sequential portions of the supplemental stream data with the video program at a plurality of respective time intervals corresponding to respective portions of the video program’ wherein the presentation further utilizes ‘time stamp specifications’ in order to synchronize the presentation with supplemental data” Applicants respectfully believe that the above quoted feature would be difficult to show in the current drawings. However, Applicants have support for the feature on page 14, lines 23-29 of the application. Applicants respectfully request that the objection to the drawings be withdrawn. If Examiner feels that a drawing for the feature is still required, Applicants will provide a drawing depicting the feature without adding new matter.

III. Claim Objections

Claims 91 and 100 stand objected because of typographical errors. Claims 91 and 100 have been amended to read “supplemental stream of data.” Claim 91 were further objected to because the phrase “the first video and the second video” lacks proper antecedent basis. Applicants have amended the claims to correct the typographical errors and lack of antecedent basis. Consequently, Applicants respectfully request that the objection be withdrawn.

IV. Response to Claim Rejection under 35 U.S.C. §102

In the Office Action, claims 56-59, 61, 63, 65-71, 73, 76-79, 81, 83, 94, 95, 98, and 100 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 6,408,128 to *Abecassis*.

A proper rejection of a claim under 35 U.S.C. §102 requires that a single prior art reference disclose each element of the claim. *See, e.g., W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303, 313 (Fed. Cir. 1983). Applicants respectfully traverse the rejection.

Applicants respectfully assert that claim 101 is newly added to replace cancelled claim 56. Applicants respectfully submit that claim 101 is not taught or disclosed by *Abecassis*.

A. Brief Description of *Abecassis*

As an initial matter, *Abecassis* provides in the Field of Invention “[s]ystems for, and a methods of, processing, random accessing, buffering, and playing a video utilizing the information provided by a video map, where the source of the video and video map are, for example, a DVD, a DBS, and/or video-on-demand transmission, and where the means for playing the video comprises, for example, a DVD player, a personal computer, a set box, and/or a multimedia player. (Emphasis Added)” Apparently, *Abecassis* discloses a video that includes a video map, which is described in column 4, line 64 – column 5, line 10 of *Abecassis*:

“A video also comprises a ‘variable content video’ and a ‘variable content game’, which are characterized by a nonlinear architecture facilitating a variety of possible logical sequences of segments. A video herein comprises a video map and video/audio/subpicture information including parallel, transitional, and overlapping segments to provide viewing of a program's story-line/interactive action at different levels of forms of expression, levels of detail, and, for example, length, with a greater seamless continuity among non-sequential segments.

Additionally a video may include a user interface, software program routines, and system control codes for controlling the playing of the video. The term "segment" refers to a part of the video whether one or a plurality of frames."

(Emphasis Added)

Applicants respectfully submit that *Abecassis* discloses that a video is divided into segments in which each segment is assigned a descriptor that is mapped for displaying the video based on the preferences set by the viewer. *Abecassis* further describes "segment" in Column 16, lines 13-36, as follows:

"A segment assigned a content category code may be congruent in one or more frames with a segment assigned a different category code. Where necessary, a video segment is associated with more than one audio segment, and Corresponding separate audio and video category codes are provided.

As each segment is defined, the beginning frame and end frame in each of the relevant segments are identified, and the segment is assigned a content category code and/or descriptor(s). A segment's content category code, keywords, and/or descriptor(s) are also referred to herein as a "descriptor".

Once a segment is assigned a descriptor, logical entry and exit references are assigned 505. The resulting segment definitions are mapped 506 and the required user interface produced. In a preferred embodiment, a video map comprises: i) information directly combining, providing for combinations of, and/or simply defining with or without associated descriptors, segments from within a video; ii) user interface routines particular to the video; and iii) control codes to control a Multimedia Player's playing of the video. The video map's data is provided with the video's video and audio data."

Apparently, *Abecassis* discloses that a user provides input on the preferences of presenting a video. The preferences can be based on profanity, violence, bloodshed, monsters, nudity, sex, *etc.* as shown in figure 5B of *Abecassis*. The video is divided into segments with descriptors, which includes information on the preferences. A video map links the segments together based on the descriptors. If the user decides not to view segments with profanity, for example, the video map links the segments of the video such that profanity is not presented to the user.

Apparently, *Abecassis* further discloses "a method of replaying a segment of a video with supplementary information." (Column 4, lines 3-4, See Fig. 12). The Abstract in *Abecassis* provides as follows:

“A method of, and a system capable of, replaying a portion of a video comprising the steps of, and the means for receiving, during a playing of a video, a replay request to replay a portion of a video, the replay request comprising a voice command; storing a request position of the playing of the video responsive to the replay request; skipping, responsive to the replay request, the video to a replay position that is responsive to a preestablished replay preference amount adjusted by segment information subject to an override range; enabling a playing of supplementary information; playing the video and the supplementary information from the replay position; and discontinuing the playing of supplementary information responsive to the request position responsive to a preestablished replay preference amount adjusted by segment information subject to an override range.”

(Emphasis Added)

Abecassis further discloses that the “supplementary information may be provided by a source other than the source of the video, and the supplementary information need not be time synchronized with the video. For example, a supplementary information provided by a remote source may be utilized with a plurality of different video segments of a DVD video and/or a plurality of videos.” (Column 52, lines 29-36). The supplementary information appears to be presented only during a replay of segment of the video.

B. Claim 101

Claim 101 recites:

101. A method implemented by a television set-top-terminal (“STT”) configured to receive a video program from a remote server, comprising the steps of:

- storing a first plurality of streams corresponding to the video program in the remote server, said first plurality of streams including a second plurality streams and a supplementary-data stream that is different than all the streams in the second plurality of streams, said second plurality of streams including an audio stream, a video stream, and a subtitle stream, said supplementary data stream corresponding to supplementary information;

- providing a first selectable option to receive the video program from a plurality of video programs;

- receiving a first viewer input from a viewer, the first viewer input being configured to select the first selectable option;

- responsive to receiving the first viewer input, providing a second selectable option to receive the supplementary data stream in the STT;

- receiving a second viewer input from a viewer responsive to providing the second selectable option,

responsive to receiving the second viewer input corresponding to selecting the second selectable option:

configuring transmission of the first plurality of streams from the remote server to the STT via a first transmission channel;

receiving a respective sequential portion of each stream in the first plurality of streams substantially simultaneously via a tuner in the STT tuned to the first transmission channel;

storing the sequential portions of the supplementary data stream and each stream in the second plurality of streams into respective sections of a memory in the STT; and

presenting the supplementary data stream and an audio stream and a video stream in the second plurality of streams in their respective decoded form simultaneously at a plurality of respective time intervals corresponding to respective portions of the video program; and responsive to receiving the second viewer input corresponding to a viewer input that is different than a viewer input corresponding to selecting the second selectable option:

configuring transmission of the first plurality of streams from the remote server to the STT via a first transmission channel;

receiving a respective sequential portion of each stream in the first plurality of streams substantially simultaneously via a tuner in the STT tuned to the first transmission channel;

rejecting the supplementary data stream at the STT;

storing the sequential portions of each stream in the second plurality of streams into respective sections of the memory in the STT; and

presenting an audio stream and a video stream in the second plurality of streams in their respective decoded form simultaneously at a plurality of respective time intervals corresponding to respective portions of the video program.

(Emphasis Added)

Applicants respectfully submit that *Abecassis* does not teach or disclose the above-emphasized features.

- i. *Abecassis* fails to teach “presenting the supplementary data stream and an audio stream and a video stream in the second plurality of streams in their respective decoded form simultaneously at a plurality of respective time intervals corresponding to respective portions of the video program.”

As mentioned above, *Abecassis* appears to teach that the supplementary information is presented during a replay of segment of the video. In other words, *Abecassis* does not present the *Abecassis* supplementary information during a normal play of the video. Accordingly,

Applicants respectfully submit that *Abecassis* fails to teach or disclose the feature of “presenting the supplementary data stream and an audio stream and a video stream in the second plurality of streams in their respective decoded form simultaneously at a plurality of respective time intervals corresponding to respective portions of the video program.” Accordingly, Applicants respectfully submit that a *prima facie* case of anticipation by *Abecassis* cannot be established. Consequently, Applicants respectfully request that claim 101 be allowed.

- ii. *Abecassis* fails to teach or disclose “responsive to receiving the second viewer input corresponding to a viewer input that is different than a viewer input corresponding to selecting the second selectable option: ... rejecting the supplementary data stream at the STT;”

Applicants respectfully submit that *Abecassis* simply does not teach or disclose “rejecting the supplementary data stream at the STT” from the remote server when the viewer requests for no supplementary information. Consequently, Applicants respectfully submit that *Abecassis* fails to teach or disclose the feature of “responsive to receiving the second viewer input corresponding to a viewer input that is different than a viewer input corresponding to selecting the second selectable option ... rejecting the supplementary data stream at the STT (Emphasis Added).” Accordingly, Applicants respectfully submit that a *prima facie* case of anticipation by *Abecassis* cannot be established. Consequently, Applicants respectfully request that claim 101 be allowed.

- iii. *Abecassis* fails to teach or disclose the feature of “responsive to receiving the second viewer input corresponding to a viewer input that is different than a viewer input corresponding to selecting the second selectable option ... presenting an audio stream and a video stream in the second plurality of streams in their respective decoded form simultaneously at a plurality of respective time intervals corresponding to respective portions of the video program.”

As mentioned above, *Abecassis* apparently discloses a video that includes segments with descriptors that are mapped to display a video based on the preferences set by the viewer. *Abecassis* mentioned that video can be transmitted in the form of video-on-demand from a server. However, Applicants respectfully believe that the *Abecassis* video-on-demand format of the video is transmitted with video maps to the set-top terminal. Therefore, the user provides the

preferences to an *Abecassis* server, which transmits the *Abecassis* video-on-demand format to the set-top terminal with predetermined video maps to present the video according to the preferences. Consequently, Applicants respectfully submit that *Abecassis* fails to teach or disclose the feature of “responsive to receiving the second viewer input corresponding to a viewer input that is different than a viewer input corresponding to selecting the second selectable option ... presenting an audio stream and a video stream in the second plurality of streams in their respective decoded form simultaneously at a plurality of respective time intervals corresponding to respective portions of the video program. (Emphasis Added).” Accordingly, Applicants respectfully submit that a *prima facie* case of anticipation by *Abecassis* cannot be established. Consequently, Applicants respectfully request that claim 101 be allowed.

C. Claim 66

Claim 66, as amended, recites:

66. A television set-top-terminal (“STT”) configured to receive a video program from a remote server, the STT comprising:

a first memory configured to store program code; and

at least one processor that is programmed by the program code to enable the STT

to:

provide a selectable option to receive a supplementary data stream that corresponds to supplementary information associated with the video program;

enable the STT to receive the supplementary data stream and a first plurality of streams that corresponds to the video program; and

receive via a tuner the supplementary data stream and the first plurality of streams responsive to the STT receiving viewer input from a viewer, the viewer input being configured to select the selectable option, wherein ***each stream in the first plurality of streams and the supplementary data stream are separated into respective sections of a second memory of the STT, and wherein the at least one processor enables sequential portions of the supplementary data stream to be presented with the first plurality of streams at a plurality of respective time intervals corresponding to respective portions of the video program.***

(Emphasis Added)

- i. *Abecassis* simply does not teach or disclose “each stream in the first plurality of streams and the supplementary data stream are separated into respective sections of a second memory of the STT”

Abecassis appears to teach presenting a video with segments that includes descriptors and video maps based on preferences set by a user. Nowhere in *Abecassis* does teach separating the

video stream, audio stream, the subtitle stream, and supplementary stream into the memory of a set-top terminal, as recited in claim 66. Accordingly, Applicants respectfully submit that a *prima facie* case of anticipation by *Abecassis* cannot be established. Consequently, Applicants respectfully request that claim 66 be allowed.

- ii. *Abecassis* fails to teach or disclose “wherein the at least one processor enables sequential portions of the supplementary data stream to be presented with the first plurality of streams at a plurality of respective time intervals corresponding to respective portions of the video program”

As mentioned above, *Abecassis* appears to teach that the supplementary information is presented during a replay of segment of the video and not during a respective time interval corresponding to respective portions of the video. In other words, the *Abecassis* supplementary information is not presented during a normal play of the video. Consequently, Applicants respectfully submit that *Abecassis* fails to teach or disclose the feature of “wherein the at least one processor enables sequential portions of the supplementary data stream to be presented with the first plurality of streams at a plurality of respective time intervals corresponding to respective portions of the video program (Emphasis Added).” Accordingly, Applicants respectfully submit that a *prima facie* case of anticipation by *Abecassis* cannot be established. Consequently, Applicants respectfully request that claim 66 be allowed.

D. Claim 76

Claim 76, as amended, recites:

76. A system configured to receive a video program from a remote server, the system comprising:

receiving means for receiving viewer input from a viewer, the viewer input being configured to select an option to receive a supplementary data stream that corresponds to supplementary information and a first plurality of streams that corresponds to the video program;

processing means for providing the supplementary data stream substantially simultaneously with the first plurality of streams responsive to the system receiving the viewer input, each said stream in the first plurality of stream being different than the supplementary data stream; and

processing means for enabling the system to receive via a tuner the supplementary data stream and the first plurality of streams responsive to the system receiving the viewer input, wherein ***the processing means enables sequential portions of the supplementary data stream and the streams in the first plurality of streams to be separated into a first set of respective sections of a***

memory, provided in respective decoded forms to a second set of respective sections of the memory, and presented in their respective decoded forms at a plurality of respective time intervals corresponding to respective portions of the video program.

(Emphasis Added)

- i. *Abecasses* simply does not teach or disclose “processing means enables sequential portions of the supplementary data stream and the streams in the first plurality of streams to be separated into a first set of respective sections of a memory, provided in respective decoded forms to a second set of respective sections of the memory”

Abecassis appears to teach present a video with segments that includes descriptors and video maps based on preferences set by a user. Nowhere in *Abecassis* does teach separating the video stream, audio stream, the subtitle stream, and supplementary stream into the memory of a set-top terminal, as recited in claim 76. Accordingly, Applicants respectfully submit that a *prima facie* case of anticipation by *Abecassis* cannot be established. Consequently, Applicants respectfully request that claim 76 be allowed.

- ii. *Abecassis* fails to teach or disclose “the processing means enables sequential portions of the supplementary data stream and the streams in the first plurality of streams to be ... presented in their respective decoded forms at a plurality of respective time intervals corresponding to respective portions of the video program”

As mentioned above, *Abecassis* appears to teach that the supplementary information is presented during a replay of segment of the video and not during a respective time interval corresponding to respective portions of the video. In other words, the *Abecassis* supplementary information is not presented during a normal play of the video. Consequently, Applicants respectfully submit that *Abecassis* fails to teach or disclose the feature of “the processing means enables sequential portions of the supplementary data stream and the streams in the first plurality of streams to be ... presented in their respective decoded forms at a plurality of respective time intervals corresponding to respective portions of the video program (Emphasis Added).”

Accordingly, Applicants respectfully submit that a *prima facie* case of anticipation by *Abecassis* cannot be established. Consequently, Applicants respectfully request that claim 76 be allowed.

E. Claim 100

Claim 100, as amended, recites:

100. A method implemented by a server coupled to a television set-top terminal (STT) via a bi-directional communication network, the method comprising the steps of:

- providing to the STT information including respective descriptions of rentable video program;
- providing a selectable option to receive from the server a first supplemental data stream that is associated with the presentation time of respective portions of a rented video program, said first supplemental data stream being different to each stream in a first plurality of streams corresponding to the rented video program;
- receiving a request from the STT for the rented video program;
- establishing a dedicated network session between the server and the STT;
- providing the first plurality of streams through the established network session;
- receiving a viewer input from a viewer to select the selectable option;
- responsive to receiving the viewer input, receiving from the server at least a portion of the first supplemental data stream and at least a portion of each stream in the first plurality of streams via a tuner in the STT;
- outputting by the STT a composition of the received said portion of the first supplemental data stream and the received said respective portion of each stream in the first plurality of streams as a television signal, ***wherein the composition of the received said portion of the first supplemental data stream and the received said respective portion of each stream in the first plurality of streams are time synchronized according to time stamps specifications, said output composition corresponding to playing the rented video program from the current location at the time of receiving the viewer input.***

(Emphasis Added)

- i. *Abecassis* fails to teach or disclose “the composition of the received said portion of the first supplemental data stream and the received said respective portion of each stream in the first plurality of streams are time synchronized according to time stamps specifications.”

As mentioned above, *Abecassis* appears to teach that the supplementary information is presented during a replay of segment of the video and not time synchronized according to time stamps specifications. In other words, the *Abecassis* supplementary information is not presented

during a normal play of the video. Consequently, Applicants respectfully submit that *Abecassis* fails to teach or disclose the feature of “the composition of the received said portion of the first supplemental data stream and the received said respective portion of each stream in the first plurality of streams are time synchronized according to time stamps specifications (Emphasis Added).” Accordingly, Applicants respectfully submit that a *prima facie* case of anticipation by *Abecassis* cannot be established. Consequently, Applicants respectfully request that claim 100 be allowed.

- ii. *Abecassis* fails to teach or disclose “said output composition corresponding to playing the rented video program from the current location at the time of receiving the viewer input.”

As mentioned above, *Abecassis* appears to teach that the supplementary information is presented during a replay of segment of the video and not at the time of receiving the viewer input. Consequently, Applicants respectfully submit that *Abecassis* fails to teach or disclose the feature of “said output composition corresponding to playing the rented video program from the current location at the time of receiving the viewer input.” Accordingly, Applicants respectfully submit that a *prima facie* case of anticipation by *Abecassis* cannot be established. Consequently, Applicants respectfully request that claim 100 be allowed.

F. Claims 57-59, 61, 63, 65, 67-71, 73, 77-79, 81, 83, 94, 95, and 98

Because independent claims 66, 76, 86, and 101 are allowable over the cited art of record, dependent claims 57-59, 61, 63, 65, 67-71, 73, 77-79, 81, 83, 94, 95, and 98 are allowable as a matter of law for at least the reason that dependent claims 57-59, 61, 63, 65, 67-71, 73, 77-79, 81, 83, 94, 95, and 98 contain all features and elements of their respective independent base claims. *See, e.g., In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Accordingly, Applicants respectfully request that the rejection to dependent claims 57-59, 61, 63, 65, 67-71, 73, 77-79, 81, 83, 94, 95, and 98 be withdrawn for this reason alone.

V. Response to Claim Rejection Under 35 U.S.C. §103

In the Office Action, claims 96 and 97 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Abecassis*; claims 64, 74, 75, 84, 85-93, and 99 stand rejected as being unpatentable over *Abecassis* in view of U.S. Patent No. 6,378,130 to *Adams*.

It is well established at law that, for a proper rejection of a claim under 35 U.S.C. §103 as being obvious based upon a single reference, the reference must disclose, teach, or suggest, either implicitly or explicitly, all elements/features/steps of the claim at issue. *See, e.g., In Re Dow Chemical*, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988), and *In re Keller*, 208 U.S.P.Q.2d 871, 881 (C.C.P.A. 1981). Applicants respectfully traverse the rejection.

A. Claim 86

Claim 86, as amended, recites:

86. A method implemented by a television set-top terminal (STT) coupled via a bi-directional communication network to a programmable remote server, wherein the STT is configured to receive a video program from a remote server, said method comprising steps of:

providing a selectable option to receive a second video stream corresponding to a supplemental view of the video program,

receiving from the server an audio stream associated with the video program;

receiving from the server a first video stream corresponding to the main view of the video program;

receiving a viewer input from a viewer to select the selectable option; responsive to receiving the viewer input, receiving the second video stream;

receiving the audio stream, the first and second video streams associated with the video program as respective multiplexed streams via a tuner in the STT that is tuned to a single transmission channel;

outputting by the STT a composition of the first and second video streams as a television signal; ***wherein the composition of the first video and second video streams is time synchronized according to time stamps specifications, said output composition corresponding to playing the rented video program from the current location at the time of receiving the viewer input.***

(Emphasis Added)

- i. *Abecassis* fails to teach or disclose “the composition of the first video and second video streams is time synchronized according to time stamps specifications.”

As mentioned above, *Abecassis* appears to teach that the supplementary information is presented during a replay of segment of the video and not time synchronized according to time stamps specifications. In other words, *Abecassis* only presents the *Abecassis* supplementary information during a replay of a segment of the video and not during a normal play of the video. Consequently, Applicants respectfully submit that *Abecassis* fails to teach or disclose the feature

of “the composition of the first video and second video streams is time synchronized according to time stamps specifications (Emphasis Added).” Accordingly, Applicants respectfully submit that a *prima facie* case of anticipation by *Abecassis* cannot be established. Consequently, Applicants respectfully request that claim 86 be allowed.

- ii. *Abecassis* fails to teach or disclose “said output composition corresponding to playing the rented video program from the current location at the time of receiving the viewer input.”

As mentioned above, *Abecassis* appears to teach that the supplementary information is presented during a replay of segment of the video and not at the time of receiving the viewer input. Consequently, Applicants respectfully submit that *Abecassis* fails to teach or disclose the feature of “said output composition corresponding to playing the rented video program from the current location at the time of receiving the viewer input.” Accordingly, Applicants respectfully submit that a *prima facie* case of anticipation by *Abecassis* cannot be established. Consequently, Applicants respectfully request that claim 86 be allowed.

- iii. *Abecassis* and *Adams* fail to teach, disclose or suggest each and every feature of claim 86

In the Office Action, the *Adams* reference was used teach “a VOD delivery architecture wherein multiplexed signals (MPEG) associated with the video presentation are distributed via a ‘single tuned transmission channel’ and are ‘received ... via the ‘tuner in the STT’ [41] that is ‘tuned to a single transmission channel (*Adams*: Col 10, Line 40 – Col 11, Line 9).” Applicants should be not presumed to agree with this statements made by the Examiner in this Office Action. In any case, *Adams* does not remedy the failure of *Abecassis* to disclose, teach or suggest “the composition of the first video and second video streams is time synchronized according to time stamps specifications, said output composition corresponding to playing the rented video program from the current location at the time of receiving the viewer input,” as recited in claim 86. Consequently, a *prima facie* case of obviousness cannot be established using *Abecassis* in view of *Adams*. Accordingly, Applicants respectfully request that claim 86 be allowed and the rejection be withdrawn.

B. Claims 64, 74, 75, 84, 85, 87-93, 96, 97 and 99

Because independent claims 66, 76, 86 and 101 are allowable over the cited art of record, dependent claims 64, 74, 75, 84, 85, 87-93, 96, 97 and 99 are allowable as a matter of law for at least the reason that dependent claims 64, 74, 75, 84, 85, 87-93, 96, 97 and 99 contain all features and elements of their respective independent base claims. *See, e.g., In re Fine*, supra.

Accordingly, Applicants respectfully request that the rejection to dependent claims 64, 74, 75, 84, 85, 87-93, 96, 97 and 99 be withdrawn for this reason alone.

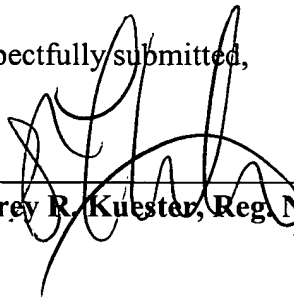
VI. Newly Added Claims 102-103

Applicants respectfully submit that cited references fail to disclose, teach, or suggest each and every feature of the newly added claims 102-103. Applicants respectfully request that claims 102-103 be allowed.

CONCLUSION

Applicants respectfully maintain that the currently pending claims 57-59, 61, 63-71, 73-79, 81, and 83-103 are in condition for allowance. Should the Examiner have any comments or suggestions that would place the subject patent application in better condition for allowance, he is respectfully requested to telephone the undersigned attorney at (770) 933-9500.

Respectfully submitted,



Jeffrey R. Kuester, Reg. No. 34,367

**THOMAS, KAYDEN,
HORSTEMEYER & RISLEY, L.L.P.**
Suite 1750
100 Galleria Parkway N.W.
Atlanta, Georgia 30339
(770) 933-9500